

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

Michael Chad Black,

v.

Case No. 24-cv-1323

Jury Trial Demanded

Ideal Concepts, Inc.

SCHEDULING ORDER

On _____, the Court conducted a conference in the above entitled and numbered case. All parties appeared through counsel. As a result of such hearing, and pursuant to Rule 16, Federal Rules of Civil Procedure, the Court **ORDERS** that the following schedule will govern deadlines up to and including the trial of this matter:

| Date | Event |
|-----------------|--|
| May 5, 2025 | Discovery commences on all issues. |
| August 8, 2025 | All motions to amend pleadings or to add parties shall be filed on or before this date. |
| January 9, 2026 | Fact Discovery Deadline. Fact discovery must be completed by this date. Any fact discovery requests must be propounded so that the responses are due by this date. |
| January 9, 2026 | The parties asserting claims for relief shall submit a written offer of settlement to opposing parties on or before this date. All offers of settlement are to be private, not filed, and the Court is not to be advised of the same. The parties are further ORDERED to retain the written offers of settlement and responses as the Court will use these in assessing attorney's fees and court costs at the conclusion of trial |

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|-------------------|---|
| May 26, 2026 | Each party shall complete and file the attached “Notice Concerning Reference to United States Magistrate Judge” |
| January 16, 2026 | Parties with burden of proof to designate Expert Witnesses and provide their expert witness reports, to include all information required by Rule 26(a)(2)(B). |
| January 16, 2026 | Each opposing party shall respond, in writing, to the written offer of settlement made by the parties asserting claims for relief by this date. All offers of settlement are to be private, not filed, and the Court is not to be advised of the same. The parties are further ORDERED to retain the written offers of settlement and responses as the Court will use these in assessing attorney’s fees and court costs at the conclusion of trial |
| February 20, 2026 | Parties shall designate Rebuttal Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness reports, to include all information required by Rule 26(a)(2)(B). |
| March 13, 2026 | Expert Discovery Deadline. Expert discovery must be completed by this date. |
| March 27, 2026 | Any objection to the reliability of an expert’s proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, not later than 14 days of receipt of the written report of the expert’s proposed testimony or not later than 14 days of the expert’s deposition, if a deposition is taken, whichever is later. The failure to strictly comply with this paragraph will be deemed a waiver of any objection that could have been made pursuant to Federal Rule of Evidence 702 |
| April 13, 2026 | Deadline for Plaintiff to file motion for class certification. |
| May 11, 2026 | Deadline for Defendant to file an opposition to the motion for class certification |

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| May 25, 2026 | Deadline for Plaintiff to file reply in support of the motion for class certification. |
| June 8, 2026 | Class certification hearing |
| | Within 7 days following the Court's ruling on class certification, the parties will meet and confer and submit a joint proposal for all subsequent pre-trial deadlines. ¹ |

SIGNED this _____ day of _____, 20____.

ALAN D. ALBRIGHT
UNITED STATES DISTRICT JUDGE

AGREED:

By: /s/ Anthony I. Paronich

By: _____

Attorneys for Plaintiffs

Attorneys for Defendants

¹ Given the significant practical impact of any class certification ruling on the subsequent pre-trial deadlines, the parties propose providing a proposal regarding those deadlines, including a deadline for further dispositive motions, following the issuance of the Court's certification ruling. In the event that the Court prefers to set all pre-trial deadlines at this juncture, the parties can meet and provide the Court with proposed dates within three business days.